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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/007,641	11/06/2001	Kevin C. Hutton	GOLDENH.004A	9987

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EXAMINER

LE, LINH GIANG

ART UNIT PAPER NUMBER

3626

DATE MAILED: 03/06/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/007,641	HUTTON ET AL.	
	Examiner	Art Unit	
	Linh-Giang Le	3626	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 November 2001.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-13 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 06 November 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>043002</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Notice to Applicant

1. The communication is in response to the application filed 6 November 2001. Claims 1-13 are pending. Acknowledgement is made of the claim of benefit to U.S. Provisional Application No. 60/246,308 filed 6 November 2000.

Specification

2. The disclosure is objected to because of the following informalities: improper reference number. On page 9, line 5, applicant refers to "database system 10" while referring to figure 2. However there is no corresponding feature in figure 2 only in figure1. Appropriate correction is required.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.
4. Claims 9-11 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claim 9 recites a method for performing a compliance audit. However the claim only recites: collecting at least clinical encounter information, patient demographic data and transport information into a medical emergency database, identifying one or more high risk compliance areas, applying a

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specific library of modifiable data rules to ensure that the collected data is consistent with the high risk compliance areas, and prompting for correction of the data where the data is not consistent. None of these recited steps particularly point out or distinctly claim a method of performing a compliance audit. As per claims 10 and 11, they are dependent on claim 9 and thus are rejected for the same reasons.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 1-8 and 12-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Clawson (6,106,459) in view of Barrett et al (6,029,144).

7. As per claim 1, Clawson discloses a computerized, integrated emergency medical transportation database system. Clawson further discloses a medical emergency database configured to store at least clinical encounter information, patient demographic data and transport information (Clawson; Col. 3, lines 65-67 to Col. 4, lines 1-12).

Clawson fails to expressly disclose having a compliance audit component in communication with the medical emergency database. However, this feature of a compliance audit component is well known to one of ordinary in the art as evidenced by

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Barrett. In particular, Barrett teaches a compliance audit component that is configured to check to ensure that data in the database for a current encounter is consistent with a high-risk compliance area (Barrett; Col. 1, lines 63-67 to Col. 2, lines 1-12). Barrett also teaches a compliance audit system that will prompt for correction of the data where the data is not consistent (Barrett; Col. 9, lines 26-35).

8. As per claim 2, Clawson fails to expressly disclose a billing module in communication with the medical emergency database. However, this feature is well known to one of ordinary skill in the art as evidenced by Barrett. In particular, Barrett teaches the billing module receiving data from the compliance audit component (Barrett; Col. 8, lines 22-29). Examiner interprets "expense entries" to be analogous to data found in a "billing module." It would have been obvious to one skilled in the art to include the billing module feature taught by Barrett to the system in Clawson with the motivation of checking expense entries (Barrett; Col. 2 line 10).

9. As per claim 3, Clawson fails to expressly disclose the compliance audit component additionally configured to record one or more attempts to obtain missing requirement data. However, this feature is well known to one of ordinary skill in the art as evidenced by Barrett. In particular, Barrett teaches recording adjustments (Barrett; Col. 9 lines 27-35). It would have been obvious to one skilled in the art to include the recording feature of Barrett to the system in Clawson with the motivation of consistently checking violations of the rules (Barrett; Col. 1, lines 34-35).

10. As per claim 4, Clawson fails to expressly disclose the compliance audit component additionally configured to apply a set of rules to determine whether the data for the current encounter is consistent with the high-risk compliance area. However, this feature is well known to one of ordinary skill in the art as evidenced by Barrett. In particular, Barrett teaches comparing policies and procedures (Barrett; Col. 6, lines 49-51). It would have been obvious to one skilled in the art to include the feature of comparing the data to a set of rules in Barrett to the system taught in Clawson with the motivation of detecting the possibility of fraud (Barrett; Abstract).

11. As per claim 5, Clawson discloses the system additionally comprising a dispatch and demographic module in communication with the medical emergency database, the dispatch and demographic module providing data to the compliance audit component (Clawson; Col. 6, lines 30-56).

12. As per claim 6, Clawson discloses the dispatch and demographic module providing patient demographic data or transport information (Clawson; Col. 3, lines 65-67 to Col. 4, lines 1-12).

13. As per claim 7, Clawson discloses the system additionally comprising a clinical module in communication with the medical emergency database, the clinical module providing data to the compliance audit component (Clawson; Col. 6, lines 56-60).

14. As per claim 8, Clawson discloses the clinical module providing a diagnosis description and treatment description (Clawson; Col. 5, lines 2-6).

15. As per claim 12, Clawson discloses a computerized integrated emergency medical transportation database system having a medical emergency database configured to store at least clinical encounter information, patient demographic data and transport information (Clawson; Col. 3, lines 65-67 to Col. 4, lines 1-12).

Clawson fails to expressly disclose a compliance filter. The features of the compliance filter are identical to those features of the compliance audit component disclosed in Claims 1 and 4 and thus are rejected for the same reasons.

16. As per claim 13, the billing module feature is the same as the feature disclosed in claim 2 and the reason for rejection is incorporated herein.

Conclusion

17. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Linh-Giang "Michelle" Le whose telephone number is 571-272-8207. The examiner can normally be reached on 8 AM - 5PM, M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Thomas can be reached on 571-272-6776. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



JOSEPH THOMAS
SUPERVISORY PATENT EXAMINER